

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISON**

ZOHO CORPORATION,

§

Plaintiff,

§

v.

Case No. 1:22-cv-00037-LY

LIBERTY PEAK VENTURES, LLC,

§

JURY DEMANDED

Defendants.

§

LIBERTY PEAK VENTURES, LLC,

§

Counterclaimant,

§

v.

§

ZOHO CORPORATION

§

Counter-Defendant,

§

and

§

ZOHO CORPORATION PVT. LTD

§

Third-Party Defendant.

§

**DECLARATION OF NICHOLAS KLIEWER
REGARDING EXHIBITS B THROUGH K**

I, Nicholas C. Kliewer, an attorney, hereby declare as follows:

I am an attorney at law of the State of Texas, and am an associate at the law offices of Platt Cheema Richmond PLLC, attorneys for Defendant and Counterclaimant Liberty Peak Ventures, LLC (“LPV” or “Liberty Peak”) in the above-captioned matter. I appeared as counsel for Defendant in this matter on March 1, 2022. I am over twenty-one years of age and am competent

to make this declaration pursuant to 28 U.S.C. § 1746. If called upon to do so, I could and would competently testify to the matters set forth in this declaration.

The following Exhibits B-I are true and correct copies from the U.S. Patent and Trademark Office (“USPTO”) of excerpts of the file history of U.S. Patent No. 9,373,122 and Exhibits J-K are true and correct copies from the USPTO of excerpts of the file history of U.S. Patent No. 10,074,088 attached hereto as:

1. Exhibit B - Originally filed U.S. Application No. 12/512,873, filed July 30, 2009
2. Exhibit C – September 23, 2010 Office Action
3. Exhibit D - November 16, 2010, Response to Office Action
4. Exhibit E – March 17, 2011 Examiner Interview
5. Exhibit F - March 21, 2011, Response to Office Action
6. Exhibit G - April 30, 2014, Notice of Allowance
7. Exhibit H – March 2, 2015 Office Action Response
8. Exhibit I - February 8, 2016, Notice of Allowance
9. Exhibit J - July 26, 2017, '088 Patent Office Action Response
10. Exhibit K - May 3, 2018, '088 Patent Notice of Allowance

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 7, 2023.



Nicholas C. Kliewer
*Counsel for Defendant and
Counterclaimant Liberty Peak
Ventures, LLC*